

60130-1109
01MRA0216**REMARKS**

Applicant thanks the Examiner for the remarks and analysis contained in the most recent Office Action, reopening prosecution. Claims 16, 18 and 19 are amended above to clarify the claims regarding the §112 issues raised by the Examiner. New claims 21 and 22 are added. Applicant respectfully requests reconsideration of this application.

Claims 15-20 were rejected under 35 U.S.C. §112 because the Examiner contends that the disclosure is not enabling. As previously pointed out, the initially filed disclosure clearly teaches one skilled in the art who is familiar with driveline component operation that there are moveable driveline components and stationary driveline components that cooperate with the inventive parking brake arrangements. The amendments to the specification above incorporate language to explicitly state that which is already understood by those skilled in the art. No new matter has been entered. The specification and claims are entirely consistent and the claims are fully enabled by the original disclosure.

Claims 15 and 17 were rejected under 35 U.S.C. §102(e) as being anticipated by *Fleischer, et al.* Applicant respectfully traverses the rejection. There is nothing within *Fleischer, et al.* that teaches the cooperation of a moveable driveline component and a stationary driveline component as claimed. The Examiner is improperly interpreting brake housing components as driveline components. The housing 20 and the piston rim 18 of the *Fleischer, et al.* reference are not driveline components. They are portions of a brake housing that contains the spring 13 of the *Fleischer, et al.* arrangement. There is no possible interpretation of the *Fleischer, et al.* reference to read on Applicant's claims.

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With regard to new claim 21, even the strained interpretation of the *Fleischer, et al.* reference cannot read on that claim. The piston rim 18 does not rotate relative to the housing 20 and, at a minimum, claim 21 is allowable.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that there are any remaining issues that would prevent this case from being forwarded to being issued, Applicant's representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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Dated: November 19, 2003

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to Examiner Melanie Torres, Patent and Trademark Office (Fax No. (703) 208-2211) on November 19, 2003.

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Theresa M. Palmateer

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